UNITED STATES PATENT AND TRADEMARK OFFICE

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10/067,968	02/08/2002	Masoud Loghmani	43459	9943

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ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 01/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*10/04/05*</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☒ Claim(s) *8 and 13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7, 9-12, and 14-24 rejected under 35 U.S.C. 103(a) as being

unpatentable over Maloney et al., Patent #5,555,299.

Regarding claim 1, Maloney teaches a software-based method that allows callers

to access an information site or an application site by one or more client devices

comprising a telephone, a mobile phone and a data device*(12 Fig.2; telephone is*

mobile as you can walk around), the method comprising the steps of performing a

transaction session by accessing a data source in multiple phases, the data source

comprising at least one of the information site and the application site, the transaction

session comprising at least one client interaction session and a data source interaction

session the client interaction session comprising a data access session with the client

device the data source interaction session comprising a session with business logic

corresponding to the data source, the multiple phases comprising different client

interaction sessions via the one or more client devices to participate in at least part of

the transaction session(100 Fig.5 and col.9 lines 1-12);

storing session data relating, to the transaction session in a memory device the

session data comprising user identification data for associating the transaction session

to a user participating in the transaction session(118 Fig.5) the session data being

saved at different steps of the transaction session and using the stored session data to

allow the user to drop a call constituting one of the multiple phases, and call back at a

later time to continue the transaction session with one of the in formation site and the

application site during another one of the multiple phases*(col.7 lines 1-42 and col.9*

lines 25-67; the call is put on hold/dropped then a separate agent call is performed so

the user can continue with transactions).

Maloney does not expressly disclose the application and information site is on

the internet.

Maloney does however utilizes application and information sites that are remote

from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have

application and information sites on the internet. Retrieving information from these sites

are old and well-known since it offers the user more flexibility in accessing a plethora of

useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the

internet. Therefore having information sites on the internet is not novel.

Regarding claim 2, Maloney teaches a system as claimed in claim 6, wherein

callers access the system using plurality of different devices in during respective ones of

the multiple phases of interaction *(col.7 lines 1-42 and col.9 lines 10-67;callers uses a*

phone and interactive computer to access the system).

Regarding claim 3, Maloney teaches a system as claimed in claim 6, wherein

each user accessing the system is identified using at least one of a combination of username and password, a pin and pass-code, cookie information, and other identification technique available through the use of the client device(col.9 lines 1-67).

Regarding claim 4, Maloney teaches a method as claimed in claim 1, wherein the session data allows the user to continue the transaction session at substantially the same point during the transaction session where the call was earlier dropped or data contact was terminated*(col.9 lines 1-67; the user's continuation is substantially the same point where the data contact was terminated at the first CC).*

Regarding claim 5, Maloney teaches a method as claimed in claim 1, wherein the storing step comprises the step of storing session data in a memory device corresponding to a session management gateway connected downstream of the information site or the application site via the internet and upstream of the client devices(Fig.2 and col.9 lines 1-67).

Regarding claim 6, Maloney teaches a method as claimed in claim 5, wherein the storing step comprises the step of storing the session data in the memory device independently of the information site, the application site, the business logic, a back end data server, the client device, and the access medium employed by the client device to establish an interaction session to access the session management gateway(col.9 lines 1-67).

Regarding claim 7, Maloney teaches a method as claimed in claim 5, wherein the session data is retained in the memory device even during the absence of the user device being connected to the session management gateway(col.9 lines 1-67).

Regarding claim 9, Maloney teaches a system for managing access of a client

device to a data source comprising at least one of an information site and an application

site comprising:

a session management gateway connected downstream of the data source via the

internet and upstream of a client device(14 Fig.2); and

a memory device read from and written to by the session management gateway and not

by a user interface module, nor the client device, nor a back end data server, nor the

data source*[14 Fig.2; PBX/ACD is not the user interface module or the data source]*;

wherein the session management gateway is programmable to store transaction

session data in the memory device that relates the user to a transaction session with

the data source, the transaction session comprising at least one client interaction

session and a data source interaction session, the client interaction session comprising

a data access session with the client device, the data source interaction session

comprising a session corresponding to the data source, the transaction session data

being stored independently of the information site, the application site, the business

logic, a back end data server, the client device, and the

access medium employed by the client device to establish an interaction session to

access the session management gateway for participation in the transaction session;

 the session management gateway being configured to associate user identification

data corresponding to the user with the transaction session data for that user, and to

map any subsequent interaction sessions initiated by the user using the client device or

another device with the transaction session by using the user identification data after

the user has identified himself*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Maloney does not expressly disclose the application and information site is on the internet.

Maloney does however utilizes application and information sites that are remote from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have application and information sites on the internet. Retrieving information from these sites are old and well-known since it offers the user more flexibility in accessing a plethora of useful applications(e.g. calling amazon.com or buy.com to order products). Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the internet. Therefore having information sites on the internet is not novel.

Regarding claim 10, Maloney teaches a system as claimed in claim 9, wherein the data source comprises a single application and the session management gateway interacts with the single application for the transaction session, and the system is operable to support multiple phases with respect to the transaction session, the multiple phases comprising different client interaction sessions via the one or more client devices to participate in at least part of the transaction session, the client device being a telephone in one phase, and a data device in another phase*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 11, Maloney teaches a system as claimed in claim 9, wherein the session management gateway is operable to store transaction session data

corresponding to plural transaction sessions in the memory device independently of the

information site, the application site, a back end data server, the business logic, the

client device, and the access medium employed by the client device to establish an

interaction session to access the session management gateway to avoid being

application-specific*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 12, Maloney teaches a system as claimed in claim 9, wherein

the transaction session data is retained in the memory device even during the absence

of the user device being connected to the session management gateway*(Fig.2, col.7*

lines 1-42 and col.9 lines 1-67).

Regarding claim 14, Maloney teaches a system as claimed in claim 9, wherein

the transaction session data is retained in the memory device a predetermined period of

time and then deleted therefrom if no other phases or client interaction sessions are

commenced during the predetermined period of time*(Fig.2, col.7 lines 1-42 and col.9*

lines 1-67).

Regarding claim 15, Maloney teaches a system as claimed in claim 9, wherein

the transaction session data is saved to the memory device at different events in the

transaction*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 16, Maloney teaches a system as claimed in claim 9, further

comprising at least one other session management gateway being configured to access

the memory device and to store transaction session data therein*(Fig.2, col.7 lines 1-42*

and col.9 lines 1-67).

Regarding claim 17, Maloney teaches a system as claimed in claim 16, wherein the session management gateways connected to the memory device are operable to maintain respective phases comprising client interaction sessions in the same transaction session*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 18, Maloney teaches a method for managing access of a user device to a data source comprising at least one of an information site and an application site comprising the steps of: establishing a first client interaction session with a session management gateway connected downstream of the data source via the internet and upstream of the user device to initiate a transaction session with the data source; storing transaction session data relating to the transaction session in a memory device read from and written to by the session management gateway and not the user interface, nor the user device, nor a back end data server, nor the data source, the transaction session data comprising user identification data for associating the transaction session to a user participating in the transaction session, the transaction session data is saved at different steps of the transaction session; terminating the first client interaction session; initiating a second client interaction session at the user device or another device wherein the user provides user identification data to the session management gateway; and mapping the second client interaction session with the transaction session by using the user identification data after the user has identified himself*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Maloney does not expressly disclose the application and information site is on the internet.

Maloney does however utilizes application and information sites that are remote

from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have

application and information sites on the internet. Retrieving information from these sites

are old and well-known since it offers the user more flexibility in accessing a plethora of

useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the

internet. Therefore having information sites on the internet is not novel.

Regarding claim 19, Maloney teaches a computer-readable storage device

operable to store transaction session data relating to transaction sessions, the

transaction sessions comprising data access sessions to access a data source in

multiple phases, the data source selected from an information site and an application

site in multiple phases, the transaction session comprising at least one client interaction

session and a data source interaction session, the client interaction session comprising

a data access session with the client interface, the data source interaction session

comprising a session with business logic corresponding to the data source, the

transaction session data being stored independently of the information site, the

application site, the business logic, the client device, and the access medium employed

by the client device to establish an interaction session to participate in the transaction,

the multiple phases comprising different client interaction sessions via the one or more

client devices to participate in at least part of the transaction session, the transaction

session data comprising user identification data for associating the transaction session

to a user participating in the transaction session, the transaction session data being

saved by the computer-readable storage device at different steps of the transaction

session*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Maloney does not expressly disclose the application and information site is on

the internet.

Maloney does however utilizes application and information sites that are remote

from the user(Fig.2).

Examiner takes official notice as it is obvious to one skilled in the art to have

application and information sites on the internet. Retrieving information from these sites

are old and well-known since it offers the user more flexibility in accessing a plethora of

useful applications(e.g. calling amazon.com or buy.com to order products).

Furthermore, Fig.2 in Maloney shows servers and LAN networks that are used on the

internet. Therefore having information sites on the internet is not novel.

Regarding claim 20, Maloney teaches a computer-readable storage device as

claimed in claim 19, wherein the computer-readable storage device is operable with a

session management gateway connected downstream of the data source and upstream

of the client devices, the session management gateway being operable to manage the

transaction sessions independently of the data source, the business logic, the client

devices and access medium employed by the client devices, and the transaction

session data is retained in the computer-readable storage device even during the

absence of the user device being connected to the session management gateway*(Fig.2,*

col.7 lines 1-42 and col.9 lines 1-67).

Regarding claim 21, Maloney teaches a computer-readable storage device as claimed in claim 19, wherein the transaction session data is retained in the computer-readable storage device for a predetermined period of time and deleted therefrom of no phases or client interaction sessions are commenced during the predetermined period of time*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 22, Maloney teaches a method as claimed in claim 8, wherein a user initiates the subsequent client interaction session to continue the transaction session and provides the same user identification data*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 23, Maloney teaches a system as claimed in claim 9, wherein the data source comprises a single application and the session management gateway interacts with the single application for the transaction session, and the system is operable to support multiple phases with respect to the transaction session, the multiple phases comprising different client interaction sessions via the one or more client devices to participate in at least part of the transaction session, the client device being a data device in one phase, and a data device in another phase*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Regarding claim 24, Maloney teaches a method as claimed in claim 18, wherein the user identification data is provided automatically via the user device*(Fig.2, col.7 lines 1-42 and col.9 lines 1-67)*.

Allowable Subject Matter

Claims 8 and 13 objected to as being dependent upon a rejected base claim, but would

be allowable if rewritten in independent form including all of the limitations of the base

claim and any intervening claims.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-21 have been considered but are

moot in view of the new ground(s) of rejection.

Conclusion

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-

7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JTP
December 23, 2005

GERALD GAUTHIER
PATENT EXAMINER